

*Sec 2P*  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of

PAUL E. JACOBS ET AL.

Serial No. 09/668,511



Filed: September 22, 2000

For: **E-MAIL SOFTWARE AND METHOD  
AND SYSTEM FOR DISTRIBUTING  
ADVERTISEMENTS TO CLIENT  
DEVICES THAT HAVE SUCH  
E-MAIL SOFTWARE INSTALLED  
THEREON**

) Group Art Unit: Unknown

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
UNDER 37 CFR §1.53 (b)**

Asst. Commissioner of Patents  
BOX MISSING PARTS  
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted which was mailed on November 14, 2000, enclosed are:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Asst. Commissioner of Patents, Washington, D.C. 20231, on:

January 16, 2001

(Date of Deposit)

Diane Courtemanche

(Name of the Person Making Deposit)

  
(Signature)

January 16, 2001

(Date of Signature)

1. Office's copy of Formalities Letter;
2. Executed Declaration/Power of Attorney;
3. Return postcard.

Please charge Deposit Account No. 17 - 0026 of QUALCOMM Incorporated in the amount of \$130.00. The Commissioner is further hereby authorized to charge to said Deposit Account No. 17 - 0026, pursuant to 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

A duplicate copy of this letter is enclosed.

Respectfully submitted,

By: Kent D. Baker  
\_\_\_\_\_  
Patent Counsel  
Attorney for Applicants  
Registration No. 38,822

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 658-5703  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/668,511	09/22/2000	Paul E. Jacobs	PA000364

Qualcomm Incorporated  
 5775 Morehouse Drive  
 San Diego, CA 92121-1714



## FORMALITIES LETTER



\*OC000000005552090\*

Date Mailed: 11/14/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
  
- The balance due by applicant is \$ 130.

The following item(s) appear to have been omitted from the application:

- Figure(s) 18B through 18E described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the late RECEIVED date must be filed within TWO MONTHS of the date of this Notice.

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III. The failure to file a petition (and petition fee) under the above options (I) or (II) within TWO MONTHS of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR

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1.136(a) or (b). In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

*Niki Luangvitham*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE ,

RECEIVED

NOV 27 2000